

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

SHAUNA WILLIAMS, et al.,

*Plaintiffs,*

v.

REPRESENTATIVE DESTIN HALL, in his  
official capacity as Chair of the House Standing  
Committee on Redistricting, et al.,

*Defendants.*

Civil Action No. 23 CV 1057

---

NORTH CAROLINA STATE CONFERENCE OF  
THE NAACP, et al.,

*Plaintiffs,*

v.

PHILIP BERGER, in his official capacity as the  
President Pro Tempore of the North Carolina  
Senate, et al.,

*Defendants.*

Civil Action No. 23 CV 1104

**NAACP PLAINTIFFS' AMENDED PRETRIAL DISCLOSURES**

Pursuant to the Court’s May 23, 2024 Notice Setting a Bench Trial (Doc. 50), May 15, 2025 Order (Doc. 115), and Federal Rules of Civil Procedure 26(a)(2)(A) and 26(a)(3), Plaintiffs North Carolina State Conference of the NAACP, Common Cause, Mitzi Reynolds Turner, Dawn Daly-Mack, Corine Mack, Calvin Jones, Linda Sutton, and Syene Jasmin (together the “NAACP Plaintiffs”) hereby submit the following Amended Pretrial Disclosures.

### **I. Witnesses**

NAACP Plaintiffs’ Amended Witness List, identifying each witness that NAACP Plaintiffs expect to present at trial and may call if the need arises, is set forth in Appendix A attached.

NAACP Plaintiffs reserve the right to call any witness on Defendants’ witness list and any witness called by Defendants. NAACP Plaintiffs reserve the right to supplement, amend, or otherwise modify this list or call as a witness during trial, as necessary and as permitted by the rules and orders of the Court, including—but not limited to—the following: witnesses that are necessary to lay the foundation for the admissibility of evidence, should the parties be unable to stipulate to admissibility; witnesses to counter surprise by another party; witnesses to cure any objection to any exhibit; and witnesses for the purposes of rebuttal or impeachment. This list is submitted subject to, and without waiver of, any and all appropriate objections to discovery.

At this time, NAACP Plaintiffs are not aware of any witnesses whose testimony will be presented remotely or by means of a deposition at trial. Pursuant to agreement between the parties, the May 15, 2025 Order (Doc. 115), and the June 4, 2025 Order (Doc. 135),

NAACP Plaintiffs reserve the right to submit deposition testimony by July 17, 2025 for any witness who becomes unavailable to testify at trial. NAACP Plaintiffs and Legislative Defendants have also come to an agreement that the February 2025 trial testimony of Representative G.K. Butterfield may be admitted from the related matter *Pierce v. North Carolin State Board of Elections*, No. 4:23-cv-193 (E.D.N.C. 2023) in lieu of live testimony, and NAACP Plaintiffs intend to seek leave of the Court to admit this testimony in lieu of live testimony. In the event that a non-party witness who has been deposed and subpoenaed for trial fails to appear, NAACP Plaintiffs reserve the right to request that their testimony be presented via their deposition. NAACP Plaintiffs intend to use deposition transcripts and depositions as needed and allowed for examination and cross-examination of witnesses pursuant to Federal Rule of Civil Procedure 32(a).

NAACP Plaintiffs also reserve the right to rely upon the testimony elicited from Williams Plaintiffs and call their witnesses concurrently for such purposes. NAACP Plaintiffs also reserve the right to supplement or modify this witness list in response to rulings made by the Court. NAACP Plaintiffs' identification of any witness listed in Appendix A is not an admission that the witness's testimony would be admissible if proffered by Defendants.

## **II. Exhibits**

NAACP Plaintiffs' Second Amended Exhibit List, identifying each exhibit that NAACP Plaintiffs may offer at trial, is set forth in Appendix B attached.

NAACP Plaintiffs reserve the right to introduce into evidence any documents identified in the Joint Exhibit List and by Defendants or Williams Plaintiffs in their Pre-

Trial Disclosures. NAACP Plaintiffs' identification of any exhibit listed in Appendix B is not an admission that the exhibit would be admissible if proffered by Defendants (such as out of court statements that constitute inadmissible hearsay when offered by Defendants). NAACP Plaintiffs reserve the right to amend their list of trial exhibits in Appendix B based on future orders of the Court and to introduce additional documents as rebuttal or impeachment evidence, or as demonstrative exhibits, which will be identified and exchanged at a mutually agreeable time prior to trial.

Dated: June 9, 2025

Respectfully submitted,

/s/ Hilary Harris Klein

Hilary Harris Klein

**HOGAN LOVELLS US LLP**

J. Tom Boer\*  
Olivia Molodanof\*  
Madeleine Bech\*  
4 Embarcadero Center, Suite 3500  
San Francisco, CA 94111  
Telephone: 415-374-2300  
Facsimile: 415-374-2499  
tom.boer@hoganlovells.com  
olivia.molodanof@hoganlovells.com  
madeleine.bech@hoganlovells.com

Jessica L. Ellsworth\*  
Misty Howell\*  
Odunayo Durojaye\*  
555 Thirteenth Street, NW  
Washington, DC 20004  
Telephone: 202-637-5600  
Facsimile: 202-637-5910  
jessica.ellsworth@hoganlovells.com  
misty.howell@hoganlovells.com  
odunayo.durojaye@hoganlovells.com

**SOUTHERN COALITION FOR  
SOCIAL JUSTICE**

Jeffrey Loperfido (State Bar #52939)  
Hilary Harris Klein (State Bar #53711)  
Christopher Shenton (State Bar #60442)  
Mitchell D. Brown (State Bar #56122)  
Lily Talerman (State Bar #61131)  
5517 Durham Chapel Hill Blvd.  
Durham, NC 27707  
Telephone: 919-794-4213  
Facsimile: 919-908-1525  
hilaryhklein@scsj.org  
jeffloperfido@scsj.org  
chrishenton@scsj.org  
mitchellbrown@scsj.org  
lily@scsj.org

Harmony Gbe\*  
1999 Avenue of the Stars, Suite 1400  
Los Angeles, CA 90067  
Telephone: 310-785-4600  
Facsimile: 310-785-4601  
harmony.gbe@hoganlovells.com

\*Appearing in this matter by Special  
Appearance pursuant to L-R 83.1(d)

### **CERTIFICATE OF SERVICE**

I certify that on June 9, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ Hilary Harris Klein  
Hilary Harris Klein